

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT  
NORTHERN DIVISION**

WILLIE MCNAIR,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 2:06-cv-00695-WKW-CSC
	)	
RICHARD ALLEN, et al.,	)	
	)	
Defendants.	)	

---

JAMES CALLAHAN,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 2:06-cv-00919-WKW-CSC
	)	
RICHARD ALLEN, et al.,	)	
	)	
Defendants.	)	

**DEFENDANTS' REVISED SUPPLEMENTAL BRIEF**

In their brief filed on September 26, 2007, see Doc. 122, defendants asserted, among other things, that EMT-1 will be out of the country during the week of trial, id. at 2. This assertion is no longer correct. Assistant Attorney General Clay Crenshaw received information late in the afternoon on September 26, 2007, from Warden Culliver that EMT-1 no longer expects to be out of the country during the week of trial. Defendants adopt and incorporate all other

arguments made in support of the motion to quash, see Doc. 100, and in the supplemental brief, see Doc. 122.

Respectfully submitted,

TROY KING (KIN047)  
ATTORNEY GENERAL  
BY:

s/ J. Clayton Crenshaw  
J. Clayton Crenshaw (CRE007)  
Assistant Attorney General

James W. Davis (DAV103)  
Assistant Attorney General

OF COUNSEL:  
Office of the Attorney General  
11 South Union Street  
Montgomery, AL 36130  
(334) 242-7300  
(334) 353-8440 Fax  
Email: [ccrenshaw@ago.state.al.us](mailto:ccrenshaw@ago.state.al.us)  
[jimdavis@ago.state.al.us](mailto:jimdavis@ago.state.al.us)

**CERTIFICATE OF SERVICE**

This is to certify that on the 27<sup>th</sup> day of September, 2007, a copy of the foregoing has been electronically filed with the Clerk of the Court using the CM/ECF system, which will electronically send a copy of the same to the following:

Randall S. Susskind  
Cathleen I. Price  
Equal Justice Initiative of Alabama  
122 Commerce Street  
Montgomery, AL 36104  
[cprice@ej.org](mailto:cprice@ej.org)  
[rsusskind@ej.org](mailto:rsusskind@ej.org)

Vincent R. Fitzpatrick, Jr. (SDNY Bar No. VF2907)  
Heather K. Mcdevitt (SDNY Bar No. HM9973)  
Stephanie Cohen (SDNY Bar No. SM7006)  
White & Case LLP  
1155 Avenue of the Americas  
New York, NY 10036  
[vfitzpatrick@whitecase.com](mailto:vfitzpatrick@whitecase.com)  
[hmcdevitt@whitecase.com](mailto:hmcdevitt@whitecase.com)  
[stephcohen@whitecase.com](mailto:stephcohen@whitecase.com)

s/ J. Clayton Crenshaw  
\_\_\_\_\_  
J. Clayton Crenshaw (CRE007)  
Assistant Attorney General

OF COUNSEL:  
Office of the Attorney General  
11 South Union Street  
Montgomery, AL 36130  
(334) 242-7300  
(334) 353-8440 Fax  
Email: [ccrenshaw@ago.state.al.us](mailto:ccrenshaw@ago.state.al.us)